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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yuba)

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THE PEOPLE,

Plaintiff and Respondent,

v.

CYNTHIA LEONA KITSON,

Defendant and Appellant.

C091294

(Super. Ct. No. CRF19-00334)

Appointed counsel for defendant Cynthia Leona Kitson asked this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

FACTS AND PROCEEDINGS

Defendant assaulted the victim by swinging a golf club at her. Defendant pleaded no contest to assault with a deadly weapon (Pen. Code, § 245, subd. (a)(1)). The trial court found the case was an unusual case, suspended imposition of sentence, and granted

defendant three years' probation. The trial court ordered her to serve 180 days in county jail with 28 days of credit or perform 496 hours of work project. After finding defendant had the ability to pay, the trial court imposed various fines and fees.

In the next five months, defendant admitted two violations of probation for not reporting to the probation officer, failing to attend assessment appointments, and sustaining a conviction for possession of methamphetamine. After the second violation, the trial court revoked probation, imposed a two-year term in state prison, granted her credit for 164 days of presentence custody credits, and restated the previously imposed fines and fees.

### DISCUSSION

Appointed counsel filed an opening brief setting forth the facts of the case and asking this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing the opening brief. More than 30 days elapsed and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

### DISPOSITION

The judgment is affirmed.

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/s/  
RAYE, P. J.

We concur:

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/s/  
BLEASE, J.

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/s/  
ROBIE, J.